

STATE OF HAWAII  
DEPARTMENT OF DEFENSE  
OFFICE OF THE ADJUTANT GENERAL  
3949 DIAMOND HEAD ROAD, HONOLULU, HAWAII 96816-4495

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16 December 2011

**HOLIDAY GIFTS REMINDER**

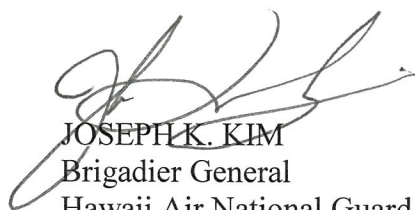
The Hawaii State Ethics Commission has issued a reminder to all departments of the State Ethics Code (see attached) when it comes to accepting holiday gifts or invitations. This includes meals, receptions, and parties. An employee is prohibited from accepting any of these gifts if it is reasonable to infer that the gift is intended to influence or reward official action.

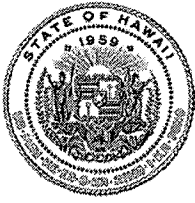
To better understand the gifts law and the distinction between those gifts that may be accepted and those that may not be accepted, guidelines are available at [http://hawaii.gov/ethics/pubs\\_guides/gifts/GiftsGuidelines.pdf](http://hawaii.gov/ethics/pubs_guides/gifts/GiftsGuidelines.pdf). Or call the State Ethics Commission for advice at 587-0460.

In general, modest “gifts of Aloha”, such as a box of cookies or candies and other gifts of nominal value are acceptable. Meals and receptions that are valued at under \$25 per person may also be accepted.

(HIADM)

FOR THE ADJUTANT GENERAL:

  
JOSEPH K. KIM  
Brigadier General  
Hawaii Air National Guard  
Deputy Adjutant General



# HAWAII STATE ETHICS COMMISSION

State of Hawaii • Bishop Square, 1001 Bishop Street, ASB Tower 970 • Honolulu, Hawaii 96813

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## MEMORANDUM

TO: Hawaii State Legislators  
State Department Heads

FROM: Hawaii State Ethics Commission

DATE: December 8, 2011

SUBJECT: Holiday Gifts Reminder

During the holidays, state legislators and employees sometimes receive gifts from companies and organizations that do business with them or with their state agencies.<sup>1</sup> Legislators and employees also may be invited to meals, receptions, and parties as guests of companies and organizations to celebrate the holidays. As a precaution and in response to inquiries that we have received, legislators and employees are reminded that not all holiday gifts or invitations may be accepted under the State Ethics Code.

The State Ethics Code prohibits a legislator or employee from accepting any gift, including a holiday gift, if it is reasonable to infer that the gift is intended to influence or reward official action. This prohibition also applies to meals, receptions, and holiday parties, which are considered “gifts” for purposes of the State Ethics Code. To assist legislators and employees in better understanding the gifts law, the State Ethics Commission earlier this year published gifts guidelines entitled, “Guidelines for Gifts Under the State Ethics Code.” The guidelines outline the types of gifts that generally may be accepted and the types of gifts that generally may not be accepted under the law. The gifts guidelines are available through the Commission’s website at [http://hawaii.gov/ethics/pubs\\_guides/gifts/GiftsGuidelines.pdf](http://hawaii.gov/ethics/pubs_guides/gifts/GiftsGuidelines.pdf).

As discussed in the gifts guidelines, modest “gifts of Aloha,” such as a box of candy or cookies, and other gifts of nominal value are generally acceptable. Meals, receptions, and other “food and drink” events, including holiday parties, that are valued at under \$25 per person generally also may be accepted.<sup>2</sup> Gifts that are more

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<sup>1</sup> This may include gifts from lobbyists, organizations that lobby, vendors and contractors, as well as other companies and organizations that transact business with state agencies.

<sup>2</sup> For purposes of the State Ethics Code, the value of any gift is determined by the gift’s fair market value.

extravagant or more expensive than described above, generally, cannot be accepted.<sup>3</sup> In addition, for employees whose official duties include law enforcement, regulation, inspection, or procurement, the acceptance of any gift from certain individuals or organizations may be prohibited.

As we celebrate the holiday season, state legislators and employees are encouraged to keep the gifts guidelines in mind to avoid inadvertent violations of the State Ethics Code. If you have questions about whether a gift or an invitation to a holiday event raises ethics concerns, please do not hesitate to contact the State Ethics Commission for advice at 587-0460.

SDY/ps

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<sup>3</sup> Gift baskets are commonly given as holiday gifts. Legislators and employees are cautioned that the value of many gift baskets may exceed what is generally acceptable under the State Ethics Code.